IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

WP(C).No. 3299 of 2007(P)

PETITIONER:

DR. SAJAN KURIAN,
ASSOCIATE PROFESSOR, REGIONAL AGRICULTURAL RESEARCH STATION, KUMARAKOM P.O., KOTTAYAM.

BY ADV. SRI.GEORGE ABRAHAM

RESPONDENTS:

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1. THE KERALA AGRICULTURAL UNIVERSITY,
REPRESENTED BY ITS REGISTRAR, VELLANIKARA,TRICHUR.

2. REGISTRAR,
THE KERALA AGRICULTURAL UNIVERSITY,
VELLANIKARA, TRICHUR.

3. VICE CHANCELLOR,
THE KERALA AGRICULTURAL UNIVERSITY,
P.O. VELLANIKARA, TRICHUR.

BY ADV. SHRI RENJITH THAMPAN, SC, KAU.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 3299 OF 2007 P

Dated this the 31st January, 2007

JUDGMENT

The main prayers in the Writ Petition are as follows:

> *"i) Issue a writ of mandamus or any other appropriate writ, order or direction directing the respondents to conduct career advancement promotion of petitioner to the post of Professor in the scale of pay of Rs.16400-22400 and grant the same as per 1996 U.G.C.Scheme;*
>
> *ii) Issue a writ of mandamus or any other appropriate writ, order or direction directing the respondents to disburse two advance increments to the petitioner with effect from 27.7.1998 as per Exhibit P1;"*

2. Heard the learned counsel for petitioner and the learned standing counsel appearing on behalf of the respondent University. As far as the prayer relating to conduct of career

advancement promotion to the post of Professor is concerned, it is submitted by the learned standing counsel that the University will consider the same if the petitioner is eligible for the same.

3. In such circumstances, there will be a direction to the respondent University to conduct career advancement promotion of the petitioner to the post of Professor under the 1996 UGC Scheme, if the petitioner is legally entitled to the same, as expeditiously as possible, and at any rate, within a period of three months from the date of receipt of a copy of this Judgment.

4. As far as the second prayer is concerned, the case of petitioner is covered by the Judgment of this Court as confirmed in W.A. No.118/05 and it appears that there is no Appeal and it had become final. Standing counsel, however, plead paucity of funds.

In such circumstances, there will be a further direction to the respondent University to grant two advance increments due to petitioner as expeditiously as possible and, at any rate, within

a period of three months from the date of receipt of a copy of this Judgment.

The Writ Petition is disposed of as above.

K. M. JOSEPH, JUDGE

kbk.